## **MEMORANDUM**

# BAKER DANIELS

BAKER & DANIELS LLP
600 East 96th Street, Suite 600
Indianapolis, Indiana 46240
Tel 317.569.9600 Fax 317.569.4800
www.bakerdaniels.com

#### VIA E-MAIL

TO:

Kevin Todd

FROM:

Jesse M. Pohlman

DATE:

February 22, 2010

RE:

Summary of Meetings with Neighbors

Below please find a brief report that summarizes the results of our meetings with neighbors regarding Herman & Kittle Properties, Inc.'s (H&K) requested change of zoning for the 146<sup>th</sup> Street Commerce Centre PUD District.

#### Meeting with Throgmartin-Henke Development

Erika Scott (H&K), Steve Hardin and I met with Steve Henke on Thursday, February 4, 2010, at his office to present the plans for the proposed development. Mr. Henke shared the anticipated plans for the multi-family development of the property immediately north and adjacent of the site. After reviewing the plans, Mr. Henke indicated that he was okay with the proposed use because it would be complimentary and serve the needs of the Bridgewater residents. He requested: (1) an opaque screen running east/west along the north of the site to minimize visibility into the site from the north (it was agreed the best solution was to redesign the concept plan to locate a building along the north edge); and (2) that the facades visible from the north would be the brick and other masonry as proposed for those facades facing Setters Run.

### Meeting with Neighbors

Erika Scott and I hosted a meeting for adjoining property owners on Tuesday, January 16, 2010 at the Westfield Washington Public Library to share the plans for the proposed development. Fourteen (14) neighbors attended the meeting; Most of those in attendance lived in Setters Run (including two Setters Run HOA board members).

The presentation was informal with open dialogue of questions and answers throughout the presentation. A presentation board of the proposal was set up for individuals to review prior to and after the presentation. The attendees asked several questions regarding: (1) general

operational questions (e.g., hours of operation, security measures, anticipated office users, number of units); (2) building design questions (e.g., building height, building materials, fence materials, HVAC equipment location); (3) site design questions (e.g., pedestrian connectivity, lighting, location of entrance drive, entrance design, water detention, signage); and (4) procedural and timeframe questions (e.g., zoning and development plan approvals and meetings, construction timeline).

Following is a list of specific requests made by the neighbors: (1) Can a tall opaque screen (e.g., fence) be installed along the west side of the driveway (but on the east side of the preservation area) between 146<sup>th</sup> Street and the first storage building?; (2) Can you install a path along 146<sup>th</sup> Street (because the Setters Run neighborhood has been actively attempting to see what could be done by the City/County to provide a path along Setters Run on the north side of 146<sup>th</sup> Street)?; (3) Can you move the entrance driveway to the east side of the property (understanding the County will determine what can and cannot be done)?; and (4) Can you agree to not place any HVAC units on the west side of the climate controlled building?

If you have any questions about these meetings, then please feel free to contact me.

jmp